

Understanding the Environment Act - Waste



Len Attrill, an Associate within our environmental discipline at Tetra Tech, outlines how the new Environment Act will affect the management of waste, recycling, and resource efficiency, for local authorities as well as private operators

What is the Environment Act?

The Environment Act 2021 has now passed into law. Designed to protect and enhance the natural environment, it is the most groundbreaking piece of environmental legislation in many years.

For the first time this Act will set clear statutory targets for the recovery of the natural world in four priority areas:

- waste
- air quality
- water
- biodiversity

Waste pays a large part in this new Act, affecting those in charge of its management and ultimately, the people and businesses responsible for producing it. While consultations are still ongoing – likely to be finalised in January 2022 - it is fair to assume the direction of travel,

Who does this affect?

Primarily Local Authorities and private operators responsible for the collection and management of household and commercial waste, who also have a duty to distribute information to their customers, regarding new changes and considerations to the waste they produce.

Likewise, any business investing anywhere in the lifecycle, through things like recycling plants, or stakeholders like DEFRA.

Household Collections Consistency



Food waste

Local Authorities will be required to collect food waste and currently, the Act suggests this could be co-collected with garden waste - although this may be changed.

The timetable for mandatory food waste collection is currently 2023, although this could be pushed back.

While many councils already do this, there will be a number who don't. If you're a Local Authority that contracts out waste collection past 2023 and there are no provisions for food waste, there isn't a duty to provide the service until the contract terminates that goes beyond 2023



Garden waste

The exact future is unclear currently, but it's likely to stay the same – can be charged separately if collected separately from food waste.

Dry recycling

Currently it is necessary to collect glass, metals, plastics, paper & card. While waste should be collected separately, a Technically, Environmentally and Economically Practicable (TEEP) test could show other options are possible.

DEFRA had previously suggested that three designs are 'approved' for dry recycling:

- Fully co-mingled
- Two-stream (paper separate)
- Kerbside sort

However, the Act suggests councils that collect two-stream with glass separate could continue to do so with a TEEP test.

Potential challenges to dry recycling include:

- The Deposit Return Scheme may take materials out of the municipal waste stream causing recycling rates to fall
- Extended Producer Responsibility & taxes may change design of packaging e.g., less plastic, more cans, and affecting waste streams
- Consumer behaviour is already changing towards plastic waste
- Collecting is not the problem – there needs to be suitable recycling infrastructure to handle it



Other considerations

Aside from new collection rules, other considerations brought about by the Act include:

- Local Authorities will have been collecting recycling or composting rates, and will have been collecting carbon figures, which impacts reporting. There's some evidence that some dry recycling schemes perform better with regard to carbon
- There will likely be greater powers given to Local Authorities to enforce correct recycling – we wait to see what these may be
- Most importantly, the Act should make clear where funding for these changes will come from as currently, councils are unwilling to commit to investing in waste without clear Government backing and funding



3, Sovereign Square, Sovereign Street, Leeds, LS1 4ER

len.atrill@tetrattech.com

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